REMARKS

Reconsideration of this application is respectfully requested. Claims 2 and 4 have been previously canceled. As a result, claims 1, 3, 5 and 6 are in this application and are presented for the Examiner's consideration in view of the following comments.

Claims 1, 3, 5 and 6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,966,496 issued October 12, 1999 to Takimoto (*Takimoto*) in view of U.S. Patent No. 7,379,655 issued May 27, 2008 to Koyabu et al. (*Koyabu*). Applicants respectfully disagree.

At the outset, the Examiner correctly states that *Takimoto* fails to disclose a plurality of programs on the recording medium as well as automatically finalizing the current recording of a program before starting a new recording of a program. Thus, as stated by the Examiner, independent claims 1, 3 and 5 are new over *Takimoto*.

However, Applicants also respectfully submit that *Takimoto* does not describe, or suggest, "starting a new recording of a program when the detecting means detects a change in the video standard" or "suppressing starting automatically a new recording of a program when the detecting means does not detect a change in the video standard", as claimed by Applicants because FIG. 3 of *Takimoto* shows a small part of a long recording, but not several recordings.

Further, if we follow the Examiner to understand each track as a "separate" recording, then "starting a new recording of a program" happens under the same condition as mentioned in the claim but not as a consequence of this condition. As such, "suppressing starting automatically a new recording of a program" never happens under this mentioned condition, except the user or another external influence causes the recording to be stopped. Thus, *Takimoto* does not describe, or suggest, "starting a new recording of a program when the detecting means detects a change in the video standard" or "suppressing starting automatically a new recording of a program when the detecting means does not detect a change in the video standard", "a plurality of recordings of programs" and "finalizing a current recording of a program" as required by Applicants' independent claims 1, 3 and 5.

Turning now to *Koyabu*, this reference describes a method and apparatus for storing program information derived from EPG data. Deriving the EPG information from the broadcast signal is a major concern. According to the EPG data, a user specific history concerning recording, reproduction and viewing of programs is made. The history data are renewed every time a program is recorded or reproduced (*Koyabu* col.6, lns. 27-35). In col. 7, ln. 66 to col. 8, ln. 5 of *Koyabu*, and as referenced by the Examiner, *Koyabu* describes a method step to renew the history stored in the RAM, namely to add the recording starting time and the recording finishing time. As described in *Koyabu*, this is done by using time pointers according to the respective EPG data. However, automatically finalizing a current recording of a program and starting a new recording is not described in *Koyabu*. Further, the different formats of a video signal and the problems adhere to in case such a video signal has to be recorded are not addressed by *Koyabu*. Consequently, detection of these different video formats is also not addressed by *Koyabu*.

In view of the above, the combination of *Takimoto* and *Koyabu* does not yield Applicants' claimed invention. In particular, Applicants' claim 1 requires a recording means that "automatically finalizes a current recording of a program and starts a new recording of a program when the detecting means detects a change in the video standard, and suppresses starting automatically a new recording of a program when the detecting means does not detect a change in the video standard". None of the cited references, neither alone nor in combination, teach or suggest, to finalize the current recording and start a new recording in case a change of the video standard is detected.

Applicants' claimed invention has the advantage that one recording of a program always contains the same video format, which makes it easier to play back the recording. A person skilled in the art derives no teaching or suggestion from *Takimoto* to finalize a current recording of a program and start a new recording of a program when the detecting means detects a change in the video standard as claimed by Applicants. A person skilled in the art would, therefore, not apply the technical teaching of *Koyabu* in order to realize the above mentioned advantage. In addition, even if a person skilled in the art would combine the technical teachings of *Takimoto* and *Koyabu*, this still does not yield Applicants' claimed invention because he would

not find any motivation to implement Applicants' claimed step of finalizing a current recording of a program and starting a new recording of a program <u>when the detecting means detects a change in the video standard</u>. Therefore, claim 1 is patentable over *Takimoto* in view of *Koyabu*.

 Similar comment apply to Applicants remaining independent claims 3 and 5.

 Therefore, Applicants respectfully submit that Applicants' independent claims 1, 3 and 5 are patentable over *Takimoto* in view of *Koyabu*. As such, dependent claim 6 is also in condition for allowance.

 As it is believed that all of the objections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicants' attorney in order to overcome any additional objections that the Examiner might have.

 If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefor.

Respectfully submitted
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